

**Department Response to CARs issued in December 2005 by auditors
from NSF- International Strategic Registrations (re: SFI standards)
and Scientific Certification Systems (re: FSC standards):**

10-18-06 (version 2)

SFI CARs

CAR MF-2005-01B: Performance Measure 5.1: “Program Managers shall manage the impact of harvesting on visual quality.” In some cases, visual management techniques were not implemented as prescribed in forest inventory.

AND

CAR JK-2005-03: PM 1.1 Indicators 1a, 3, 4, and 5 involve the forest inventory and management planning. In some cases, differences between inventory and prescriptions have affected or could affect implementation of sustainable forest management practices.

DNR staff must ensure that all management intentions recorded in our forest inventory system are provided for in State timber sales. Forest treatments must match prescriptions. The 2005 management review report, approved by Statewide Council and distributed to staff on 6-22-06, includes the following direction in regard to preparation of timber sales:

Foresters and Forest Technicians must ensure forest inventory prescriptions are accurately implemented. The timber sale pre-sale checklist prompts the administrator to assure that all management intentions as recorded in the inventory system have been provided for in the timber sale. The FMFM Unit Manager is responsible for the QA/QC function, and will ensure timber sale specifications match inventory prescriptions. Any changes to prescriptions must be approved and documented. Verification is provided by the District Timber Management Specialists. (Work Instruction 7.1)

Although these current forest certification CARs focus on timber sales, other types of forest treatments, such as maintenance of wildlife openings and forest cultivation activities, must also follow prescriptions as recorded in OI or IFMAP.

FMFM Field Coordinators sent a memo to UMs and DMs to reinforce directive that treatments match prescriptions.

CAR MF-2005-02: Indicator 5.3.3: “Green-up” requirement (adjacency issue). On one harvest, adjacent blocks were clear cut before trees on adjacent clearcut areas were at least 3 years old or 5 feet tall.

The SFI forest certification “green-up” indicator reads as follows: “trees in clearcut harvest areas are at least 3 years old or 5 feet high at the desired level of stocking before adjacent areas are clearcut, or as appropriate to address operational and economic considerations, alternative methods to reach the *performance measure* are utilized by the *Program Participant*”.

In response to this CAR, “Green-Up Guidelines” were developed for DNR staff to utilize. The purpose of this document is to aid in the process to identify areas of potential green-up conflicts, and present strategies to resolve these issues as they are discovered. The green-up guidelines apply to all clearcuts,

including Kirtland Warbler clearcuts. MDNR staff can locate the Green-Up guidelines on the DNR forest certification intranet web site.

The Statewide Council included the following decision in the 2005 management review:

The Michigan DNR will comply with the green-up requirement of the SFI Standard. The FMFM timber sale pre-sale checklist has since been modified to include an explicit check for adjacency and green-up requirements. Implementation of the green up requirement will be monitored by FMFM Unit Managers and District Supervisors. (Work Instruction 7.1)

FMFM Field Coordinators sent a memo to UMs and DMs to reinforce the directive that Green-up guidelines be implemented.

CAR MF-2005-04B: Indicator 3.1 requires a program to implement BMPs during all phases of management activities. Michigan DNR has developed a system of internal checks against BMP requirements. The system is not yet mature, in that suggested repairs are not yet all implemented. This system will be subject to re-audit when it matures sufficiently to assure continuing conformance.

1. Resource Damage Reports are being completed by all units. The reports were summarized and reviewed at the Jan 6, 2006 Management Review Meeting, and will continue to be reevaluated at future Management Review Meetings.
2. A Resource Damage Reporting electronic database was developed and is being implemented in the field. As of October, 2006, over 400 Resource Damage Reports have been entered into the database, with an estimated cost to repair of \$5.2 million.
3. BMP issues were reviewed as part of the 2005 Management Review process. This led to formation of a BMP task force. The task force was appointed on 3-3-06 to determine improved methods of providing estimated costs of repairs for the more common types of resource damage (in order to assist field staff in making more accurate estimates of repair costs and related funding needs) and to prioritize reported problems and identify remedial actions to address the most ecologically significant problems. Recommendations were incorporated into the electronic database for resource damage reporting.
5. \$382,000.00 was allocated to address BMP issues in fiscal year 2006. Next year's allotment is yet to be finalized; however, an initial budget allotment of \$1.4 million is being proposed at this time. In addition, there is a possibility that the Forest Finance Authority which has a \$26 million strategic fund for forest development may consider a one-time funding proposal.
6. FMFM Field coordinators are charged to assure repair of priority Resource Damage problems. Field coordinators will prepare a briefing report for the October, 2006 audit on progress made to-date.
7. A new process for obtaining a Directors Order for emergency road closures is in place.

CAR MF-2005-05: Indicator 12.3.4 requires providing recreation opportunities for the public consistent with forest management objectives. The Michigan DNR provides an extensive array of recreation opportunities, and natural resources are generally well-protected. In some cases, illegal ORV use is causing damage that may be compromising environmental protections.

1. The ORV task force completed its charge to propose a strategy to address illegal ORV use in three topic areas including: User Education, Law Enforcement, and Maintenance/Restoration. This task force report was submitted to the FMFM Management Team on MAY 25, 2006. The FMFM Management team has reviewed the task force recommendations and is developing a Department strategy to address ORV issues.
2. A Department ORV plan was developed and will go to the NRC in December for information and to the Director in January for action.
3. Resource Damage Reports are being completed by all units. The reports were summarized and reviewed at the Jan 6, 2006 Management Review Meeting. Revisions to the BMP Resource Damage Report in order to identify ORV related causes or problems were incorporated into the form. An electronic data base is now in place and is being utilized by all staff.
4. Illegal ORV use concerns were communicated to the ORV Advisory Board.
5. The Department has communicated concerns regarding illegal ORV use to the ORV community and to county governmental units through mailings and posting and drawing attention to the possible loss of ORV use privileges if illegal use does not end.
6. ORV damage restoration funding has been available since 1991. Approximately \$230K is available annually. Contingency funds are also available upon request to address emergency restoration and trail maintenance needs.
7. Media reporting has occurred following removal of illegal ORV bridges and closing of illegal ORV trails in some locations.

CAR MF-2005-06: **CLEARED** Indicators 10.2.1, 12.2.1, 12.2.1, and 12.5.1 require involvement by the Michigan DNR in SFI Implementation Committee activities. Thus far, such involvement has been limited.

This CAR requires that Michigan DNR actively participate in SFI Statewide Implementation Committee (SIC) meetings and SIC subcommittee meetings following SFI certification. The external auditors verified during the March supplemental surveillance audit that the DNR has actively participated in the SIC since becoming certified in December 2005. This CAR was cleared in March; however, auditors will continue to monitor DNR involvement. Beginning in 2006, DNR is also required to submit an annual report to the SFI Program regarding compliance with the SFI Standard.

FSC CARs

CAR 2005.1: **CLEARED** Compile a concise yet comprehensive register (annotated list) of applicable international agreements, conventions and treaties and distribute to field units; complete a review to assure that the Department is in compliance with all applicable international requirements.

The document submitted to FSC auditors is located on the DNR internet web site at: http://www.michigan.gov/documents/Treatiesagreements-FSC-CAR1_165073_7.pdf Note that

incorporated within this document are a series of statements confirming DNR compliance. The DNR Management Teams and the Statewide Council reviewed the document, verified accuracy, and verified statements of compliance.

CAR 2005.2: Develop and pursue strategies for securing additional personnel and resources for public use management and road system maintenance; prepare a briefing report on steps taken and progress made.

Several of the actions outlined below are very similar to above responses to SFI CARs 2005-04B and 2005-05.

1. BMP Resource Damage Reports are utilized to identify road system maintenance issues and these are being completed by field staff from multiple divisions. Thus, FMFM Unit Managers are being assisted by staff from other DNR Divisions in the reporting of observed resource damage on state forest lands.
2. A BMP Resource Damage Reporting electronic database was developed and is currently being utilized. This will allow for more efficient data gathering by staff from numerous DNR Divisions and the public, and helps avoid a duplication of effort. It also facilitates more efficient tracking of reported problems.
3. BMP issues were reviewed as part of the Management Review process. This led to formation of a BMP task force. This task force was appointed on 3-3-06 to determine improved methods of providing estimated cost of repairs for the more common types of resource damage (in order to assist field staff in making more accurate estimates of repair costs and related funding needs), and to prioritize reported problems and identify remedial actions to address the most ecologically significant problems. Recommendations were incorporated into electronic database for resource damage reporting.
5. \$382,000.00 was allotted to resolve resource damage issues in fiscal year 2006.
6. The effort to address public use management and road system maintenance is overseen and led by FMFM Field Coordinators. Projects completed in 2006 will be reported.
7. Appointments to the ORV task force were made on 2-28-06. The ORV task force completed its charge to propose a strategy to address illegal ORV use through three topic areas including: User Education, Law Enforcement, and Maintenance/Restoration. This task force report was submitted to the FMFM Management Team on MAY 25, 2006. FMFM Management team has reviewed the task force recommendations and is developing a Department strategy to address ORV issues.
8. A streamlined method to obtain a Directors Order for emergency road closures was adopted. This will enhance field implementation of critical road management issues.
9. Work instruction 3.3, BMP – Road Closures, has developed a more holistic approach to transportation system management by engaging the DNR EcoTeams in the road closure process. Use of the forest road/trail checklist form and forest road/trail closure forms allow for more efficient evaluation of proposed closures.

CAR 2005.3: Demonstrate continuing progress, at the FMU level, in inviting tribal participation in the identification of tribal resources and the development of appropriate management prescriptions as well as monitoring of the impacts of management on tribal resources; prepare a briefing report on steps taken and progress made.

Deputy Director Jim Ekdahl and the Forest Certification Specialist will prepare a progress report to be presented to the FSC auditors in October. The following items will be included in the report:

The first annual meeting with the 12 federally recognized tribes was conducted in April of 2005. The 2006 meeting was postponed until after completion of treaty negotiations with the five tribes that are part of the 1836 Treaty of Washington. As soon as negotiations are complete, the second annual meeting with the tribes will be scheduled. This meeting will hopefully occur before the end of this calendar year.

The treaty negotiations mentioned above have occurred throughout 2006, and the effort demonstrates compliance with several FSC certification standard indicators.

For Forest Management Units (FMUs) having a tribal office located within their boundaries, the respective FMFM Unit Managers were charged with establishing initial contact with tribal representatives. The purpose is to open up lines of communication, and to explain the open house and compartment review process.

All FMFM Unit Managers are including the 12 federally recognized tribes in mailings of open house and compartment review notices.

Ecoregional Teams are reaching out to tribes in ecoregional planning efforts. The east UP team has done an outstanding job in this regard.

In addition to these efforts, staff from other Divisions, notably Fisheries and Wildlife, regularly interact and consult with the tribes. Documentation of this effort will also be presented to the auditors in October.

CAR 2005.4: **CLEARED** Develop and implement direction/protocols to DNR field personnel on the identification of sites of archeological, cultural, historic or community importance and the procedurally appropriate means for reporting such sites to the SHPO.

Auditors' Comments (March 2006):

A summary of DNR's response to this CAR was presented by Cara Boucher during the March 8th group discussions in Lansing. Responsive actions include:

- *Multiple meetings with the state archaeologist to seek his input on response strategies and to clarify the roles of the SHPO vis-à-vis FMFM*
- *Development and field distribution of a new Archaeological and Cultural Sites Reporting form (PR 4440 ARCHEOLOGICAL AND CULTURAL SITE REPORT FORM)*
- *Presenting the subject matter at the 2006 FMFM division-wide meeting; with John Halsey providing 1.5 hours of technical training*
- *Completion of plans to follow-up with a field-training component of the overall response, with the expectation that John Halsey will also conduct the field-level training activities.*

On the basis of these responses, the auditors conclude that closure of this CAR is warranted.

Additionally, SHPO reporting guidelines for use by DNR staff are being developed.

CAR 2005.5: a) Develop and pursue strategies to assure a renewed/enhanced effort to conduct field surveys and assessments for rare, threatened, and endangered species and communities on the Michigan state forestlands. b) Develop and implement direction/protocols to DNR field personnel designed to assure more systematic on-the-ground assessment of state and federally listed plant species. c) Submit to SCS, no later than 6 months after award of certification, a briefing document that details progress made on parts a) and b).

1. Guidance document on DNR approach to the protection of rare species was developed. This document includes rare species assessment guidelines for DNR field staff to use for state forest lands.
2. A wildlife grant for a systematic and comprehensive biological survey of Michigan is in place and a progress report was sent to FSC auditors. This project was initiated in three Michigan counties in order to develop a protocol to evaluate biodiversity on a county, ecoregion, and statewide basis.
3. A grant project is in place for a survey of known community element occurrences on state forest lands (ERAs).
4. MNFI led four separate training events in 2006 on an introduction to protecting and managing Michigan's Biodiversity.
5. FMFM provided 14 full-day FMU training sessions to review work instruction 1.4 and the Conservation Area Management Guidelines.

CAR 2005.6: Develop and implement direction/protocols to DNR field personnel on:

- a) the ecological bases for in-stand structural retention, particularly during regeneration harvesting, to assure more consistent uptake across all FMUs.
- b) the identification and management of areas (as small as portions of individual stands) possessing notable ecological attributes, to assure more consistent uptake across all FMUs
- c) an assessment—throughout the ownership—of effects of browsing by ungulates.

a&b) In-Stand Retention Guidelines for all major cover types were approved for implementation by the FMFM and WLD Management Teams. The documents are being sent to all DNR field staff for implementation, and formal training of select FMUs will begin prior to the October audit.

c) The SWC approved the overall process and effort for assessing the effects of browsing by ungulates. It was left up to the affected divisions to approve the team charge, team appointments, etc. The FMFM and Wildlife Management Teams approved the charge and made team appointments in June 2006. A briefing report will be prepared for FSC auditors describing status of the project. This status report will be shared with field staff.

CAR 2005.7: Within the OI/IFMAP and eco-regional planning processes, modify procedures as necessary to assure maximum practicable habitat connectivity.

Most Forest Management Units have implemented the new pre-inventory review which places the year's compartments into a broader landscape context. Wildlife Division held a 2-day training on habitat issues and is continuing to work on developing desired future conditions for habitats and other related habitat analyses. Habitat connectivity will be covered in Chapter 5 of both the State Forest and ecoregional plans.

A report describing procedures the DNR uses to address habitat connectivity has been prepared for the auditors who will be on the October, 2006 audit.

CAR 2005.8: Undertake necessary departmental actions to:

- a) re-establish active designations to the Natural Areas Program
- b) assure completion of the Biodiversity Conservation Committee's Phase I analysis in time to provide substantive guidance in the development of the EUP eco-regional plan
- c) submit to SCS, no later than 6 months after award of certification, a briefing document that details progress made on parts a) and b).

a) A draft Action Plan for Review of Nominated Natural Areas (including the backlog of Natural Area Nominations) was prepared and sent to FSC auditors in July, 2006. This draft document was approved and adopted by the Statewide Council on October 3, 2006.

b&c) A briefing document on progress in implementing Phase 1 was submitted to FSC auditors in July, 2006. Another update will be provided at the October surveillance audit.

CAR 2005.9: **CLEARED** a) Commit sufficient departmental resources to complete the three eco-regional plans by the announced completion dates and in full conformance with the established protocols, including substantive stakeholder involvement. b) Conduct an assessment of current resources committed to EUP eco-regional planning effort and augment as needed, in light of the much shorter time line committed to for completing this plan.

Auditors' Comments (March 2006): *Based upon a review of ongoing progress in the development of the 3 eco-regional plans and an in-depth discussion with core team members of the Eastern Upper Peninsula eco-regional planning team, we are satisfied that all 3 planning efforts are on track for completion within the time frames that DNR has publicly committed to. While the time frame is the most compressed, the March surveillance audit left us with an elevated sense of confidence that DNR has committed sufficient resources to the EUP effort.*

Note: *On April 20th, DNR requested a conference call with the FSC and SFI lead auditors in order to discuss the timeline on completing the Eastern Upper Peninsula Eco-Regional Plan, which is the focus of CAR 2005.9(a). During this conference call, DNR presented several compelling reasons why a 4-5 month delay in completing the EUP plan is needed and warranted, most notably in order to enable the completion of a new statewide forest management plan in advance of the three ecoregional plans. Based upon the arguments presented by DNR, the auditors were convinced that extending the timeline for completing the EUP plan is warranted and compatible with the thrust of this CAR. The goal of this CAR is to complete these plans as expeditiously as possible but to also make them as useful of planning tools as possible. We are satisfied that EUP plan will be a superior planning tool if, during its development, it can more fully benefit from a completed statewide forest management plan. So, we believe that it is still appropriate to close this CAR but to carefully monitor the ecoregional planning process over the next year. If progress were to stall out and timeframes were to be pushed*

back even further, then it is likely that a new CAR, perhaps a Major CAR, would be stipulated, at that time. Progress on completing the statewide plan and the 3 ecoregional plans will be a key focus of the October 2006 surveillance audit. Inadequate progress at that time could lead to the issuance of a new CAR.

CAR 2005.10: **CLEARED** Establish and make publicly available written protocols for the scope and periodicity of updates/revisions to all management planning documents, including but not limited to eco-regional planning.

AND

CAR 2005.11: **CLEARED** Develop and make publicly available a tractable and concise umbrella summary document that meets the FSC content requirements and provides a clear description of how the many DNR management planning documents and initiatives function as a cohesive whole.

The DNR prepared several documents to send to FSC auditors to clear this CAR. All were reviewed and approved by the DNR Management Teams and the Statewide Council. They included:

- A compendium of DNR Planning & Guidance Documents which listed: names of various DNR plans, purpose of each plans, primary DNR division, periodicity of plan revision, and date of plan origin.
- A summary of the Department of Natural Resources planning process that described how the various DNR plans function as a cohesive whole.
- A flowchart related to the above summary document that displayed our DNR planning framework.

All the above documents have since been consolidated into a single report which is on the DNR internet web sit at: http://www.michigan.gov/dnr/0,1607,7-153-30301_33360_41820-146029--,00.html. The report is titled "A Comprehensive Summary of the Department of Natural Resources Planning Process For Natural Resource Management in Michigan". Note that there are numerous links included in this document that provide information about: different types of statewide plans, ecoregional plans, local plans, guidance documents, wildlife division surveys, species management plans, river assessments, Parks and Recreation Division (PRD) stewardship plans, PRD management plans, invasive species control plans, natural river plans, and others.

CAR 2005.12: **CLEARED** Establish written chain-of-custody procedures that comply with the FSC Principles of Chain-of-Custody.

DNR prepared and submitted to SCS a written chain of custody policy document that directly and adequately addressed each of the requested actions. Accordingly, this CAR has been closed.

Revised Minor CAR 2005.13 **CLEARED** DNR must undertake the following actions with regard to the identification and management of areas meeting the FSC's definition of "high conservation value forests" as further guided by the FSC Lake States Regional Standard: a) Finalize the establishment and public distribution of the process by which members of the public may make SCA/HCV/ERA nominations b) Document and revise as needed procedures for assuring coordination with other ownerships possessing HCVF areas within the landscape c) Develop/clarify HCVF monitoring protocols.

DNR completed the process of naming the members of the Biodiversity Conservation Committee (now called the Statewide Biodiversity Team) and the first meeting of the committee was held January 5, 2006.

a) A document describing the public nomination process, and a nomination form, are posted on the DNR internet web site. The document is titled: "Biodiversity Conservation on DNR-Owned Lands: Conservation Area Recommendation Process". The form is PR 4199 BIODIVERSITY CONSERVATION AREA NOMINATION FORM

b) The chair of the Statewide Biodiversity Team prepared a briefing report for FSC auditors that described the process of coordinating High Conservation Management Areas management across ownerships. This report was sent to the FSC auditors on August 3, 2006.

c) Documents describing HCVA monitoring protocols were sent to FSC auditors on 8-3-06.